

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

DONALD C. HUTCHINS

Plaintiff

v.

CARDIAC SCIENCE, INC., et al;

Defendants

Civil Action: **04-30126-MAP**

FILED
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2006 FEB -2 P 1:47
U.S. DISTRICT COURT
DISTRICT OF MASS.

PLAINTIFF'S MOTION FOR DECLARATORY JUDGMENT

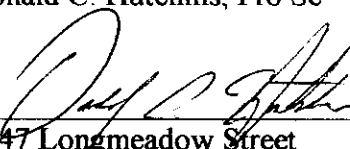
The Plaintiff, Donald C. Hutchins ("Hutchins") respectfully requests that this Honorable Court grant Plaintiff's Motion for Declaratory Judgment. In support thereof, the Plaintiff submits the attached Memorandum of Law in Support of Plaintiff's Motion for Declaratory Judgment.

Copyright Registration Numbers TXu-213-859, TXu-210-208, Patent Re.34,800, Patent 5,913,685 and the trademark "CPR Prompt" are registered by the U.S. Patent Office in the name of Donald C. Hutchins as sole owner. The *CPR Prompt*® unit is registered by the FDA as a class II medical device and the radio frequencies controlled by the FCC. It is imperative that the Court enter a Declaratory Judgment declaring ownership by Hutchins of these intellectual properties to be fact.

A proposed Order is attached hereto.

Donald C. Hutchins, Pro Se

Dated: February 2, 2006


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CERTIFICATE OF SERVICE

I, Donald C. Hutchins, 1047 Longmeadow Street, Longmeadow, Massachusetts 01106, hereby certify that I served a copy of the foregoing on the appropriate party by sending a copy by U.S. First Class Mail to:

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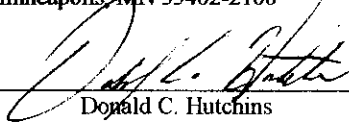
and

and

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Donald C. Hutchins